



Failure to Pay Rent Proceedings - Prohibition on Rent Increases and Sealing of Court Records

AMENDMENT 1

Page 2, Lines 13-16

13 A LANDLORD MAY NOT INCREASE A TENANT'S RENT SOLELY BECAUSE A
14 JUDGMENT WAS ENTERED AGAINST THE TENANT IN A FAILURE TO PAY RENT
ACTION

15 UNDER § 8-401 OF THIS TITLE. **THIS SECTION DOES NOT APPLY TO TENANCIES
SUBJECT TO THE PROVISIONS UNDER § 8-401 (G)(1)(3) OF THIS TITLE.**

Background: This amendment clarifies that rent increase prohibitions do not apply to residents with more than 3 judgments in a calendar year.

AMENDMENT 2

Page 3 Lines 15-18 Add After Line 18

15 (I) (1) WITHIN 60 DAYS AFTER THE FINAL RESOLUTION OF A FAILURE TO
16 PAY RENT PROCEEDING, THE DISTRICT COURT SHALL SEAL ALL COURT
RECORDS

17 RELATING TO THE PROCEEDING IF THE PROCEEDING **WAS DISMISSED BY THE
LANDLORD PRIOR TO TRIAL**

18 **OR** DID NOT RESULT IN A JUDGMENT OF POSSESSION AND NO APPEAL IS
PENDING. THIS SECTION DOES NOT APPLY TO ACTIONS FOR RENT ESCROW
UNDER § 8- 211 OF THIS TITLE.

Background: Clarifying that rent escrow matters (affirmative or defensive) are not subject to being shielded if they are related to a FTPR action regardless of the outcome of the case.

AMENDMENT 3

Page 3 Lines 22-26 Add After Line 18

22 1. THE TENANT DEMONSTRATES BY A PREPONDERANCE OF THE EVIDENCE THAT

(a)THE TENANT EXERCISED THE RIGHT OF REDEMPTION UNDER SUBSECTION (G) OF THIS SECTION, (b) [STRIKE THE WORD “AND”] AT LEAST 12 MONTHS HAVE PASSED SINCE THE FINAL RESOLUTION OF THE PROCEEDING THAT THE TENANT SEEKS TO SEAL, AND (c)THAT THE TENANT HAS HAD NO MORE THAN 3 JUDGMENTS FOR POSSESSION IN THE 12 MONTHS PRIOR TO THE REQUEST TO SEAL UNDER THIS SECTION; OR

Background: Clarifying that the ability to seal a FTPR judgment is not an infinite right based solely on judgments entered on a rolling 12 month basis, but rather is consistent with the Right of Redemption language in section §8-401 (g) (3) limiting its use to three judgments in any 12 month period.